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Attorneys for Plaintiff FragranceNet.com, Inc.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FragranceNet.com, Inc., Plaintiff, - against - FragranceX.com Inc. and John Does 1-20 Defendant.	CV 06 2225 (JFB) (AKT)

NOTICE OF MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT

PLEASE TAKE NOTICE that Plaintiff FragranceNet.com, Inc. ("FragranceNet"), by its undersigned counsel, and upon the affidavits of Dennis M. Apfel and Rebecca Myers, sworn to on the 4th day of May, 2007, annexed hereto, the proposed Third Amended Complaint and the accompanying Memorandum of Law, FragranceNet will hereby move the Court on June 4, 2007 at 9:30 a.m., or as soon thereafter as counsel may be heard, for an order pursuant to Rule 15(a) of the Federal Rules of Civil Procedure and Local Rule 7.1, granting leave to FragranceNet to serve the proposed Third Amended Complaint as

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presented herein upon such terms and conditions as the Court may direct, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York
May 4, 2007

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Attorneys for Plaintiff

FRAGRANCENET.COM, INC.

CERTIFICATE OF SERVICE

The undersigned, a member of the Bar of this Court, hereby certifies that she has caused to be served via overnight mail a true and correct copy of the foregoing NOTICE OF MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT on this 4th day of May, 2007, on the following counsel of record:

David Rabinowitz, Esq.
Moses & Singer LLP
405 Lexington Avenue
New York, New York 10174-1299

The above is the address designated by said attorneys for service.

Rebecca Myers

Rebecca K. Myers